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PTO/SB/21 (08-00)

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/954,526
Filing Date	March 5, 2001
First Named Inventor	James F. PITZEN
Group Art Unit	1745
Examiner Name	John S. Maples
Attorney Docket Number	54525.000055

Total Number of Pages in This Submission **8**

ENCLOSURES (check all that apply)

- ☐ Fee Transmittal Form
 - ☐ Fee Attached
- ☐ Amendment / Reply
 - ☐ After Final
 - ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☒ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/ Incomplete Application
- ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Assignment Papers (for an Application)
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) _____

- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☐ Other Enclosure(s) (please identify below):

Remarks

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OCT 15 2002
TC 1700

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Andrew J. Ririe, Reg. No. 45,597, Hunton & Williams, Cust No. 21967
Signature	<i>Andrew J. Ririe</i>
Date	Oct. 15, 2002

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

EX. 9.
10/17/02
#6

Applicant: James F. PITZEN, et al.
Serial Number: 09/954,526
Filed: March 5, 2001
Title: Rechargeable Battery Adapted
To Be Attached To Orthopedic
Device
Art Unit: 1745
Examiner: John S. Maples
Attorney Docket No.: 54525.000055

FIRST
INFORMATION
DISCLOSURE
STATEMENT

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Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with 37 C.F.R. §§ 1.56, 1.97, and 1.98, Applicants respectfully request consideration of the references listed on the attached Form PTO/SB/08A. Each of the references on the attached list was considered on the record and was printed on the cover page of one or both of U.S. Patent Nos. 5,792,573, and 5,553,675, each of which issued from parent applications of the present reissue application. Copies of these references are not being submitted herewith as per the Examiner's instructions in the Office Action mailed August 16, 2002.

With regard to the non-patent literature listed on the PTO/SB/08A, the Examiner is reminded that certain admissions concerning whether some of these references constitute prior art or describe prior art devices were made by the Applicants in the parent applications. The Examiner's attention is directed to the Information Disclosure Statements, Responses to Office Actions, and other papers filed in the parent applications where those admissions were made.


Applicants respectfully request that the Examiner consider the references cited on the attached PTO/SB/08A and that the Examiner indicate that the references have been considered in this application by returning a copy of the PTO/SB/08A with the Examiner's initials in the left column, per MPEP § 609. Applicants also respectfully request that the Examiner consider all of the prior art and admissions that were presented and made of record in the Applicants' parent applications, per MPEP § 2001.06(b).

It is believed that no fees are required in connection herewith because each of these references was considered in the parent applications. If any fees are due, authorization is hereby granted to charge the fees to the undersigned's deposit account no. 50-0206.

Respectfully submitted,

HUNTON & WILLIAMS

Dated: Oct. 15, 2002

By: 
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For: Patrick A. Doody
Registration No. 35,022

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